

## Message Text

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ACDA-07 IO-13 OMB-01 TRSE-00 VO-03 SCA-01 PPT-01 /084 W  
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R 071225Z MAR 77  
FM AMEMBASSY BONN  
TO SECSTATE WASHDC 6200  
INFO AMEMBASSY LONDON  
AMEMBASSY PARIS  
AMEMBASSY MOSCOW  
AMEMBASSY BERLIN  
AMEMBASSY WARSAW  
USMISSION USBERLIN  
AMCONSUL LENINGRAD

C O N F I D E N T I A L SECTION 01 OF 04 BONN 04004

E.O. 11652: GDS  
TAGS: PFOR PGOV OTRA GE WB UR PL  
SUBJECT: RAIL TRAVEL VIA EAST BERLIN/WEST BERLIN

REFS: (A) STATE 47767; (B) USBER 650; (C) WARSAW 1397;  
(D) MOSCOW 2655

BEGIN SUMMARY. WE BELIEVE THAT THE PRINCIPLE BEHIND THE  
PRESENT TRAVEL POLICY IS SOUND AND SHOULD BE MAINTAINED.  
WERE US GOVERNMENT PERSONNEL TO BEGIN TO ACCEPT THE  
EXERCISE OF GDR BORDER CONTROLS, IT WOULD SHOW THAT WE  
WERE ONLY SPEAKING FOR THE RECORD WHEN WE REJECTED THE  
CLAIM THAT THE SECTOR/SECTOR LINE IN BERLIN WAS AN  
INTERNATIONAL FRONTIER. OUR POLICY OF SELF-DENIAL  
ADMITTEDLY WORKS A HARDSHIP ON PERSONNEL ASSIGNED TO THE  
USSR AND POLAND AND THEIR FAMILIES, AND ONLY THE  
DEPARTMENT COULD WEIGH THE VALUE OF MAINTAINING THE  
PRINCIPLE AT STAKE AGAINST THE MORALE AND WELFARE OF  
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THOSE PERSONNEL, IF THAT WERE THE CHOICE. WE SUGGEST  
THAT IT IS NOT AND THAT OTHER POSSIBILITIES FOR RESOLVING  
THE PROBLEM SHOULD BE EXPLORED. WE ALSO URGE THAT THE  
PRESENT TRIPARTITE TRAVEL POLICY NOT BE MODIFIED UNTIL  
(A) WE HAVE MADE AN EFFORT TO GAIN THE CONCURRENCE OF  
THE BRITISH AND FRENCH AND (B) WE HAVE REVIEWED THE  
ENTIRE POLICY TO CONSIDER OTHER ASPECTS OF IT THAT

OTHER PERSONNEL FIND UNNECESSARILY RESTRICTIVE.  
END SUMMARY.

1. FULLY MINDFUL OF THE HARDSHIPS INVOLVED FOR PERSONNEL IN POLAND AND THE USSR, WE RELUCTANTLY DISAGREE WITH THE DEPARTMENT'S SUGGESTION FOR MAKING AN EXCEPTION TO THE TRIPARTITE TRAVEL POLICY FOR TRANSIT RAIL TRAVELERS.

2. USBER HAS POINTED OUT THAT THE BASIC REASON FOR THE PRESENT TRAVEL POLICY IS NOT THE WORDING OF THE GDR VISA STAMP, ALTHOUGH THAT TOO IS OBJECTIONABLE. WHAT IS AT ISSUE IS THE SUBMISSION BY US GOVERNMENT OFFICIALS, IDENTIFIABLE AS SUCH BY THEIR DIPLOMATIC AND OFFICIAL PASSPORTS, TO GDR BORDER CONTROLS AT THE SECTOR/SECTOR CROSSING POINTS INSIDE BERLIN. USBER HAS ALSO RECALLED THE CONSIDERABLE EFFORT EXPENDED BY THE US GOVERNMENT THROUGH THE YEARS TO MAINTAIN OUR LEGAL POSITION ON THE STATUS OF BERLIN -- A POSITION WHICH PROVIDES THE LEGAL UNDERPINNINGS FOR OUR OWN CONTINUED PRESENCE IN WEST BERLIN.

3. ON JANUARY 11 THE DCM IN MOSCOW DELIVERED A PROTEST TO THE SOVIET FOREIGN MINISTRY WHICH, INTER ALIA, DENIED "THAT THERE EXISTS A STATE BOUNDARY BETWEEN THE EASTERN SECTOR AND THE WESTERN SECTORS OF BERLIN." IT WOULD SEEM THAT ANY SUCH DEMARCHES IN THE FUTURE WOULD HAVE TO BE DELIVERED WITH TONGUE IN CHEEK IF MOSCOW'S OWN PERSONNEL WERE ACQUIESCING IN THE EXERCISE OF ACTS OF SOVEREIGNTY BY GDR OFFICIALS AT SECTOR/SECTOR CROSSING POINTS.  
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4. WE AGREE TO SOME EXTENT THAT WARSAW'S METAPHOR (PARA 3, REF C) HAS MERIT AND WOULD ONLY OBSERVE THAT, WHEN VIEWED IN THE HARD LIGHT OF REALITY, OUR POSITION ON BERLIN CONTAINS A COLLECTION OF FIG LEAVES, SOME MORE TATTERED THAN OTHERS. BUT BEFORE THE USG VOLUNTARILY DISCARDS THIS ONE OR -- IN MORE HACKNEYED BUT MORE CONVENTIONAL BERLIN TERMINOLOGY -- ON ITS OWN GIVES UP A SLICE OF SALAMI, WE SHOULD BE SURE IT IS REALLY UNAVOIDABLE.

5. THERE ARE CLEARLY TWO PRINCIPLES AT STAKE, BOTH OF IMPORTANCE AND CONCERN -- PRESERVATION OF OUR LEGAL POSITION ON THE STATUS OF BERLIN, AND THE MORALE AND WELFARE OF US PERSONNEL AND THEIR DEPENDENTS IN POLAND AND THE SOVIET UNION. IF ONE PRINCIPLE IN THE END HAD TO BE SACRIFICED FOR THE OTHER, ONLY THE DEPARTMENT COULD WEIGH THE RELATIVE PRIORITIES. WE DO NOT BELIEVE, HOWEVER, THAT A CHOICE SHOULD BE FORCED UNTIL ALL OTHER

ALTERNATIVES HAVE BEEN EXPLORED.

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AMEMBASSY WARSAW  
USMISSION USBERLIN  
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6. BEFORE ANY DECISIONS ARE REACHED TO MODIFY EXISTING  
TRIPARTITELY-AGREED TRAVEL GUIDELINES, IT WOULD BE  
USEFUL TO HAVE A CLEARER IDEA OF THE TYPES OF TRAVEL  
INVOLVED AND OF THE PARTICULAR PROBLEMS IN EACH. IT  
MAY BE THAT SOME OF THE QUESTIONS THAT OCCUR TO US HAVE  
ALREADY BEEN ANSWERED. WE RECALL THAT THE DEPARTMENT  
IN JANUARY 1976 AUTHORIZED MOSCOW OR WARSAW TO TEST GDR  
BORDER CROSSING PROCEDURES ON WESTBOUND INTERNATIONAL  
TRAINS (76 STATE 14221) BUT WE ARE UNABLE TO LOCATE  
MESSAGES GIVING THE RESULTS OF SUCH A TEST. WE HAVE ALSO  
NOT SEEN ALL THE REFERENCES CITED BY EMBASSY MOSCOW IN  
REF (D). MEANWHILE, THESE ARE SOME OF THE QUESTIONS  
THAT COME TO MIND:

A. TRAVEL TO WEST BERLIN BY CAR. ARE WE CORRECT  
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IN ASSUMING THAT THERE ARE NO SPECIAL BERLIN PROBLEMS FOR THIS CATEGORY OF TRAVELER? PERSONNEL FROM RELATIVELY NEARBY POSTS -- POZNAN, KRAKOW, AND WARSAW -- PRESUMABLY DO MAKE THE TRIP BY CAR OCCASIONALLY FOR SHOPPING AND RECREATION. WE ASSUME THAT THEY CAN STAY ON THE BERLIN RING PAST THE EXIT FOR EAST BERLIN, ENTERING WEST BERLIN DIRECTLY FROM THE GDR AT DREWITZ/ DREILINDEN. ONCE IN WEST BERLIN, IF SUCH PERSONNEL ALSO WISH TO VISIT EAST BERLIN THEY WOULD BE SUBJECT TO THE SAME INCONVENIENCES AS OFFICIAL PERSONNEL VISITING FROM POSTS IN THE FRG OR ELSEWHERE IN THE WEST -- I.E., THEY WOULD NOT BE ABLE TO DRIVE THROUGH CHECKPOINT CHARLIE IN THEIR OWN CARS BUT WOULD HAVE TO USE THE S-BAHN OR BE DRIVEN THROUGH BY PERSONNEL OF USBER OR EMBASSY BERLIN.

B. TRAVEL TO WEST BERLIN BY TRAIN. AS WE READ REF (A), THE DEPARTMENT HAS ONLY SUGGESTED REVISING THE TRAVEL GUIDELINES FOR TRANSIT TRAVELERS, NOT FOR THOSE ACTUALLY VISITING BERLIN. YET WE ASSUME -- ALTHOUGH IT IS NOT SPECIFIED IN THE CABLES FROM MOSCOW AND WARSAW -- THAT IT IS ACTUALLY TRAVEL TO WEST BERLIN ITSELF, FOR RELATIVELY INEXPENSIVE SHOPPING AND RECREATIONAL REPRIEVES, THAT WOULD BE OF GREATEST INTEREST TO PERSONNEL IN THE USSR AND POLAND IF A CONVENIENT WAY OF DOING SO COULD BE DEvised. CLARIFICATION ON THAT POINT WOULD BE USEFUL. THE PROBLEM AS WE UNDERSTAND IT IS THAT TRAIN TRAVELERS WHO HAVE BEEN STAMPED INTO THE GDR ON THE GDR/POLISH BORDER ARE STAMPED OUT AGAIN AS THE TRAIN LEAVES THE STATION IN EAST BERLIN AND BEFORE IT REACHES THE STATION IN WEST BERLIN. IF SO, AND IF WE ARE TO PRESERVE OUR POSITION ON THE STATUS OF BERLIN, TRAVELERS MUST DISEMBARK IN EAST BERLIN AND PROCEED TO WEST BERLIN BY CAR.

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C. TRANSIT TRAIN PASSENGERS. WE WOULD APPRECIATE INFORMATION FROM USBER OR EMBASSY BERLIN ON BORDER CONTROL PROCEDURES FOR THROUGH PASSENGERS. ARE THROUGH TRAVELERS MAKING THE TRIP FROM MOSCOW TO PARIS, CITED BY EMBASSY MOSCOW AS AN EXAMPLE, ACTUALLY SUBJECT TO GDR BORDER CONTROL PROCEDURES AND ENTRY/EXIT STAMPS FOUR TIMES ("IN" AT THE GDR/POLISH FRONTIER, "OUT" AT THE SECTOR/SECTOR LINE IN BERLIN, "IN" AT THE

WEST BERLIN/GDR BORDER ON THE WEST, AND "OUT" AGAIN AT THE GDR/FRG FRONTIER)? DO THE REFERENCES TO DISEMBARKING IN EAST BERLIN AND REEMBARKING AT A WEST BERLIN STATION, AFTER GOING THROUGH CHECKPOINT CHARLIE BY CAR, MEAN THAT THIS PROCEDURE WOULD BE FEASIBLE, IN TERMS OF SCHEDULES, IF THE VEHICLES AND PERSONNEL FOR ASSISTING WITH THE TRANSFER WERE AVAILABLE? ALSO, COULD MOSCOW OR WARSAW PROVIDE INFORMATION ON WHETHER, FOR PASSENGERS WHO DO NOT ACTUALLY WISH TO VISIT BERLIN, THERE ARE SIGNIFICANT DIFFERENCES IN TIME OR COST BETWEEN TAKING A TRAIN THAT TRANSITS BERLIN AND TAKING ONE FROM WARSAW TO PRAGUE, NUREMBERG, AND ON TO THE WEST? IN SHORT, IN DISCUSSING A CHANGE OF PROCEDURE FOR TRANSIT TRAVELERS, ARE WE TALKING ABOUT ONE OR TWO FAMILIES A YEAR OR LARGE NUMBERS OF PERSONNEL?

D. CUSTOMS OR CONSULAR PROBLEMS. IF IT IS DECIDED TO ALLOW TRANSIT PASSENGERS TO SUBMIT TO GDR IMMIGRATION CONTROLS INSIDE BERLIN, WE SHOULD ALSO THINK THROUGH POSSIBLE CUSTOMS OR CONSULAR PROBLEMS. IF, TO USE AN EXTREME CASE, A TEENAGE DEPENDENT RETURNING TO MOSCOW ON A DIPLOMATIC PASSPORT WERE REMOVED FROM THE TRAIN BY GDR CUSTOMS OFFICIALS ON ENTERING EAST BERLIN FROM THE WEST

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AND HELD ON, SAY, A NARCOTICS CHARGE, WOULD MISSION BERLIN HANDLE THE CASE WITH THE SOVIETS, OR WOULD WE ALSO ACQUIESCE IN THIS GDR ACT OF SOVEREIGNTY AND ASK EMBASSY BERLIN TO TAKE UP THE MATTER WITH THE GDR FOREIGN MINISTRY?

E. DOCUMENTATION. DO ALL PERSONNEL ASSIGNED TO POSTS IN THE SOVIET UNION AND POLAND HAVE DIPLOMATIC PASSPORTS? IF NOT, WE DO NOT SHARE THE VIEW OF USBER ON THE DESIRABILITY OF HAVING BEARERS OF OFFICIAL PASSPORTS TRAVEL THROUGH THE GDR ON TOURIST PASSPORTS. ASIDE FROM QUESTIONS OF WHETHER USE OF OFFICIAL PASSPORTS PROVIDES ADDITIONAL PROTECTION OR FAILURE TO USE THEM RAISES SUSPICIONS, TOURIST PASSPORTS WOULD BE A FIG LEAF OF A DIFFERENT SORT. OFFICIAL PERSONNEL WOULD STILL BE ACCEPTING GDR BORDER CONTROLS  
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BUT, BECAUSE THEY GAVE THE APPEARANCE OF BEING OFF DUTY, WOULD HOPE THAT THE GDR WOULD NOT NOTICE IT.

7. OUR CONCLUSIONS AND RECOMMENDATIONS ARE TENTATIVE, DEPENDING AS THEY DO IN PART ON THE ANSWERS TO THE FOREGOING QUESTIONS. WE BELIEVE THAT THE PRINCIPLE WHICH UNDERLIES THE PRESENT TRAVEL POLICY IS SOUND AND ONE WORTH PRESERVING -- PARTICULARLY IF WE INTEND TO CONTINUE TO EXPEND SIGNIFICANT EFFORT ON CONVINCING THIRD COUNTRIES, INTERNATIONAL ORGANIZATIONS, AND THE USSR ITSELF THAT WE DO NOT ACCEPT THE SOVIET/GDR POSITION ON THE STATUS OF BERLIN. AT THE SAME TIME, WHILE FOREIGN SERVICE PERSONNEL AND THEIR FAMILIES ACCEPT MANY INCONVENIENCES FOR THE SAKE OF PRINCIPLE, IMAGINATIVE WAYS SHOULD BE SOUGHT TO MINIMIZE THOSE INCONVENIENCES.

8. ONE POSSIBILITY THAT COMES TO MIND IS TO DISCUSS THE PROBLEM DIRECTLY WITH THE SOVIETS, PROBABLY IN BERLIN. WE COULD POINT OUT THAT WE CONTINUE TO BASE OURSELVES ON THE QA PRINCIPLES OF SEEKING PRACTICAL SOLUTIONS TO PRACTICAL PROBLEMS. WITHOUT PREJUDICING THE LEGAL POSITION OF EITHER SIDE. NOTING THAT GDR OFFICIALS DO NOT ATTEMPT TO STAMP US DIPLOMATIC PASSPORTS AT CHECKPOINT CHARLIE OR AT THE FRIEDERICHSTRASSE S-BAHN CROSSING, WE COULD STATE THAT IT WOULD MAKE FOR SMOOTHER BILATERAL RELATIONS IF GDR OFFICIALS COULD ALSO BE INSTRUCTED TO PERMIT BEARERS

OF US DIPLOMATIC AND OFFICIAL PASSPORTS TO TRANSIT  
BERLIN BY TRAIN WITHOUT CONTROLS. THE SOVIET REPLY  
WOULD OF COURSE BE THAT THE MATTER IS SOLELY WITHIN THE  
COMPETENCE OF THE GDR. BUT ON SOME OCCASIONS IN THE  
PAST THE PROPER MESSAGE HAS NEVERTHELESS GOTTEN  
THROUGH TO THE GDR. A TEST CASE COULD BE MADE SHORTLY  
AFTER SUCH A CONVERSATION WITH THE SOVIETS.

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9. IF THE ABOVE IDEA WERE NOT CONSIDERED FEASIBLE,  
OR IF IT WERE TRIED AND FAILED, WE SHOULD ALSO  
DETERMINE WHETHER THE INTEREST OF THE USG IN THE  
PRINCIPLE AT STAKE IS GREAT ENOUGH TO SPEND A LITTLE  
MONEY TO PRESERVE IT. IN COMPARISON TO WHAT THE US  
SPENDS AND HAS SPENT THROUGH THE YEARS FOR THE SAKE OF  
BERLIN, THE SUPPLEMENTARY MEASURES WE HAVE IN MIND  
WOULD BE MINISCULE:

A. THE REFTELS IMPLY THAT THE PROBLEM WOULD BE  
MANAGEABLE IF ONLY USBER OR EMBASSY BERLIN HAD THE  
RESOURCES FOR PROVIDING SHUTTLE TRANSPORTATION SERVICE  
FOR VISITORS FROM POSTS TO THE EAST. THIS WOULD  
CERTAINLY SEEM TO BE THE CASE FOR THOSE WHO WISH TO  
ARRIVE BY TRAIN IN EAST BERLIN IN ORDER TO VISIT WEST  
BERLIN; IT MAY ALSO BE TRUE FOR TRANSIT TRAVELERS,  
DEPENDING ON TRAIN SCHEDULES. WE SUGGEST THAT THE COST  
OF PROVIDING SUCH SERVICE WOULD NOT BE GREAT AND WOULD  
CLEARLY BE JUSTIFIABLE. UNIFORMED MILITARY PERSONNEL  
DRIVING OFFICIAL VEHICLES MAY TAKE ANY US CITIZEN  
PASSENGERS THROUGH CHECKPOINT CHARLIE WITHOUT SUB-  
MISSION TO GDR PASSPORT CONTROLS. ALL THAT  
WOULD BE REQUIRED WOULD BE THE ASSIGNMENT TO USBER OF  
TWO, OR AT MOST FOUR, ADDITIONAL ENLISTED ARMY  
PERSONNEL AS DRIVERS AND PERHAPS ONE OR TWO ADDITIONAL  
VEHICLES. SUCH TRAVELERS COULD NOT ONLY ASSIST VISITORS  
FROM THE EAST BUT COULD ALSO HELP IN WHAT WE ASSUME IS  
A GROWING BURDEN IN TRANSPORTING ACROSS TOWN OFFICIAL  
VISITORS WHO ARRIVE IN WEST BERLIN BUT ALSO HAVE  
BUSINESS WITH THE EMBASSY. THE COST OF THE VEHICLES  
WOULD BE PAID FOR BY THE GERMANS FROM THE OCCUPATION

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BUDGET. WHAT WOULD BE NEEDED WOULD BE THE COOPERATION  
OF THE ARMY IN INCREASING THE COMPLEMENT OF THE BERLIN  
BRIGADE BY TWO TO FOUR MEN, AND ATTACHING THE  
ADDITIONAL PERSONNEL TO USBER. GIVEN THE IMPORTANCE  
OF THE MATTER TO THE US GOVERNMENT AS A WHOLE THIS  
WOULD NOT SEEM IMPOSSIBLE.

B. IN ADDITION, OR IF NECESSARY INSTEAD OF THE  
ABOVE, THE DEPARTMENT COULD RECOGNIZE THE FACT THAT  
PERSONNEL IN EASTERN EUROPE MUST PAY MORE TO HAVE A  
SIMPLE FAMILY VACATION THAN THOSE ELSEWHERE, AND THAT  
THEY MUST EITHER FLY OR ELSE TAKE CIRCUITOUS ROUTES  
(I.E., GOING TO PARIS VIA PRAGUE INSTEAD OF BERLIN)  
TO AVOID THE BERLIN PROBLEM. DIFFERENTIAL ALLOWANCES  
COULD BE MADE LARGE ENOUGH TO PERMIT ADDITIONAL FAMILY  
TRAVEL BY SUCH INDIRECT ROUTINGS.  
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10. IN SHORT, WE DO NOT THINK THE PRESENT TRIPARTITE  
TRAVEL POLICY SHOULD BE MODIFIED UNTIL ALL OTHER  
AVENUES HAVE BEEN EXPLORED. WE ALSO URGE STRONGLY THAT  
THE US NOT MAKE A UNILATERAL REVISION UNTIL WE HAVE  
MADE AN EFFORT -- BUTTRESSED WITH CONVINCING FIGURES



ON NUMBERS INVOLVED AND RELATIVE COSTS -- TO PERSUADE  
THE BRITISH AND THE FRENCH TO GO ALONG.

11. FINALLY, IF THE TRAVEL POLICY IS TO BE REVISED,  
WE RECOMMEND THAT IT NOT BE DONE ON THE BASIS OF A  
SINGLE EXCEPTION BUT IN THE LIGHT OF A THOROUGH  
REVIEW OF THE ENTIRE POLICY. THE PROBLEM RAISED BY  
MOSCOW AND WARSAW IS BUT ONE OF MANY WHICH REGULARLY  
COME TO THE ATTENTION OF THE EMBASSY. WHILE PLEASED  
THAT THIS PARTICULAR REVISION HAD MADE LIFE EASIER FOR  
THEIR COLLEAGUES IN THE EAST, PERSONNEL IN THE FOLLOWING  
CATEGORIES WOULD FIND IT EVEN MORE DIFFICULT TO  
UNDERSTAND THE NEED FOR CONTINUED RESTRICTIONS ON  
THEM:

-- PERSONNEL ASSIGNED TO BONN AND ELSEWHERE IN  
GERMANY WHO WOULD LIKE TO COMBINE TRAVELS TO THE GDR  
WITH A VISIT TO BERLIN.

-- PERSONNEL ASSIGNED TO SOUTHERN OR NORTHERN  
GERMANY WHO WOULD LIKE TO DRIVE TO BERLIN BY ROUTES  
OTHER THAN HELMSTEDT.

-- PERSONNEL FROM THE FRG OR OTHER POSTS  
WHO DRIVE TO WEST BERLIN AND WOULD ALSO LIKE TO TAKE  
THEIR CARS INTO EAST BERLIN. (IF SOME HOLDERS  
OF DIPLOMATIC PASSPORTS SUBMIT TO GDR CONTROLS INSIDE  
BERLIN, DOES IT MATTER IN THE EYES OF THE GDR WHETHER  
THEIR TRAVEL ORIGINATED IN EAST OR WEST?)  
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